



**Department of Justice
U.S. Attorney's Office
Southern District of Texas**

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FOR IMMEDIATE RELEASE
WEDNESDAY, SEPTEMBER 6, 2006
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**RODERICK FOUNTAIN CHARGED WITH TWO COUNTS OF WITNESS
TAMPERING IN CONNECTION WITH FEDERAL FIREARMS CASE**

HOUSTON, TX – A Houston federal grand jury returned a superseding indictment charging Roderick Terrell Fountain, 31, with two new counts under the federal witness tampering statute in connection with pending federal firearms charges, United States Attorney Don DeGabrielle announced today. Fountain was previously indicted and charged with possession of a Mossberg 12 gauge shotgun after having been convicted of three violent or serious drug felonies and possession of a shotgun after having been convicted of a misdemeanor crime of domestic violence.

The first of the two new counts in the superseding indictment alleges that on April 21, 2006, Fountain attempted to corruptly persuade Tishlin Fountain, with the intent to influence her testimony in an official proceeding, to submit an affidavit stating that the Mossberg 12 gauge shotgun found behind Roderick Fountain's shoe boxes in their bedroom closet belonged to her. The second new count also accuses Fountain of acting with intent to influence testimony in an official court proceeding when on August 15, 2006, Roderick Fountain allegedly attempted to corruptly persuade Kim Carter to obtain an affidavit from Leonard Patrick stating that, on the evening of April 9, 2006, Patrick had placed the Mossberg 12 gauge shotgun behind Roderick Fountain's shoe boxes in his master bedroom closet.

Each of the witness tampering charges carries a punishment range of up to 10 years of imprisonment, without parole, a \$250,000 fine, and three years of supervised release. If convicted of the previous charge of possessing a firearm after having been previously convicted of three felonies that are either violent felonies or serious drug offenses, Fountain faces no less than 15 years imprisonment, without parole, a fine of up to \$250,000, and up to five years of supervised release. If convicted of possessing a firearm after having been convicted of a misdemeanor crime of domestic violence, Fountain faces up to 10 years of imprisonment, without parole, a \$250,000 fine, and three years of supervised release.

Fountain, who is in federal custody without bond, is expected to be arraigned on the two new federal charges in the near future. A trial date of October 3, 2006, is currently set for this case.

The federal prosecution of Fountain is part of Project Safe Neighborhoods, a Department of Justice gun violence reduction initiative, which partners federal, state and local law enforcement to investigate and prosecute those who illegally possess or use firearms and ammunition. The Southern District has primarily concentrated its resources on prosecuting convicted felons who possess firearms, illegal aliens in possession of firearms, individuals who

traffic in firearms, and those individuals who carry or use firearms in relation to drug crimes or crimes of violence.

This original firearms charges were investigated by the Houston Police Department, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives. The witness tampering charges were investigated by the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Federal Bureau of Investigation. The case is being prosecuted by Assistant United States Attorneys Gregg Costa and Doug Davis.

An indictment or superseding indictment is a formal accusation of criminal conduct, not evidence. A defendant is presumed innocent unless and until convicted through due process of law.

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